

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SAMUEL JOSE BAPTISTA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 20-10198-PBS
	)	
PLYMOUTH CORRECTIONAL FACILITY,	)	
et al.,	)	
	)	
Defendants.	)	

**ORDER**

**August 19, 2020**

Saris, D.J.

For the reasons stated below, this action is DISMISSED without prejudice.

On February 7, 2020 Magistrate Judge Bowler issued an order (ECF No. 4) in this action denying without prejudice plaintiff Samuel Jose Baptista's motion for leave to proceed *in forma pauperis* on the ground that he had not filed the six-month prison account statement required by 28 U.S.C. § 1915(a)(2). Judge Bowler directed Baptista to pay the \$400 filing fee or file a renewed *in forma pauperis* motion with a prison account statement.

On February 18, 2020, Baptista filed a renewed motion (ECF No. 5) for leave to proceed *in forma pauperis* but he failed to include a six-month prison account statement. On May 21, 2020,

Judge Bowler issued another order (ECF No. 6) directing Baptista to pay the filing fee or submit a prison account statement.

The time for complying with Judge Bowler's May 21, 2020 order has passed without any response from Baptista.

Accordingly, this action is DISMISSED without prejudice for failure to pay the filing fee. No filing fee shall be assessed.

SO ORDERED.

/s/ Patti B. Saris  
PATTI B. SARIS  
UNITED STATES DISTRICT JUDGE